

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TRICORE, INC.

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Plaintiff(s)

V.

CIVIL ACTION

NO. 04-12393-JGD

SAFECO INSURANCE COMPANY OF AMERICA, ET AL  
Defendant(s)

REPORT RE: REFERENCE FOR  
ALTERNATIVE DISPUTE RESOLUTION

TO JUDGE DEIN

SWARTWOOD, C.M.J.

On July 19, 2005 I held the following ADR proceeding:

\_\_\_\_\_ EARLY NEUTRAL EVALUATION        X   MEDIATION  
 \_\_\_\_\_ MINI-TRIAL                                      \_\_\_\_\_ SUMMARY JURY TRIAL  
 \_\_\_\_\_ SETTLEMENT CONFERENCE

All parties were represented by counsel [except \_\_\_\_\_]

The parties were present in person or by authorized corporate officer [except \_\_\_\_\_].

The case was:

- ☒ The major claim in this case has been settled, but there remains a counterclaim that R.P. Iannuccillo & Sons has asserted against Safeco Insurance Company of America which has yet to be resolved. I suggest that Magistrate Judge Dein schedule a status conference to determine what needs to be done to dispose of the counterclaim.
- ☐ There was progress. A further conference has been scheduled for \_\_\_\_\_ unless the case is reported settled prior to that date.
- ☐ Further efforts to settle this case at this time are, in my judgment, unlikely to be productive. This case should be restored to your trial list.
- ☐ Suggested strategy to facilitate settlement:

\_\_\_\_\_

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\_\_\_\_\_

/s/Charles B. Swartwood, III                      DATE  
CHARLES B. SWARTWOOD, III  
CHIEF MAGISTRATE JUDGE